

Coast Guard, DOT

§ 67.53

1258) establishes a rebuttable presumption that the applicant is a United States citizen.

[CGD 89-007, CGD 89-007a, 58 FR 60266, Nov. 15, 1993; 58 FR 65131, Dec. 13, 1993]

§ 67.45 Citizenship savings provision for fishing vessels.

An otherwise qualifying partnership or corporation that does not meet the requisite stock interest requirements for a fishery endorsement of §§ 67.35 or 67.39, respectively, may be eligible to obtain a fishery endorsement for a vessel if, based on evidence submitted by the owner, it is determined that prior to July 28, 1987, the vessel:

(a) Was documented under 46 U.S.C. Chapter 121 and operating as a fishing, fish processing, or fish tender vessel in the navigable waters of the United States or the Exclusive Economic Zone; or

(b) Was contracted for purchase for use as a fishing, fish processing, or fish tender vessel in the navigable waters of the United States or the Exclusive Economic Zone, if the purchase is shown by the contract or similarly reliable evidence acceptable to the Secretary or the Secretary's delegate to have been made for the purpose of using the vessel in the fisheries.

§ 67.47 Requirement for Maritime Administration approval.

(a) The following transactions, among others, require approval of the Maritime Administration in accordance with 46 CFR part 221:

(1) Placement of the vessel under foreign registry;

(2) Operation of the vessel under the authority of a foreign country; and

(3) Sale or transfer of an interest in or control of the vessel from a citizen, as defined in section 2 of the Shipping Act, 1916 (46 U.S.C. app. 802), to a person not a citizen within the meaning of section 2 of that act.

(b) A Certificate of Documentation may not be issued for a vessel which subsequent to the last issuance of a Certificate of Documentation has undergone any transaction listed in paragraph (a) of this section, even if the owner meets the citizenship requirements of this subpart, unless evidence

is provided that the Maritime Administration approved the transaction.

(c) The restriction imposed by paragraph (b) of this section does not apply to a vessel identified in § 67.11(b).

Subpart D—Title Requirements for Vessel Documentation

§ 67.50 Requirement for title evidence.

The owner of a vessel must present title evidence in accordance with one of the methods specified in this subpart:

(a) When application is made for a coastwise or a Great Lakes endorsement for a vessel which has not previously been qualified for such endorsement;

(b) For initial documentation of a vessel;

(c) When the ownership of a documented vessel changes in whole or in part;

(d) When the general partners of a partnership owning a documented vessel change by addition, deletion, or substitution, without dissolution of the partnership; or

(e) When a vessel which has been deleted from documentation is returned to documentation and there has been an intervening change in ownership.

§ 67.53 Methods of establishing title.

Title to a vessel may be established through one of the following methods:

(a) *Simplified method without evidence of build.* The owner must produce a copy of the last registration of the vessel (State, Federal, or foreign) and evidence which establishes chain of title from that registration to the present owner.

(b) *Simplified method with evidence of build.* The owner must produce a copy of the last registration of the vessel (State, Federal, or foreign) and evidence which establishes chain of title from that registration to the present owner along with evidence of the facts of build in accordance with subpart F of this part.

(c) *Complete chain of title, without evidence of citizenship for each entity in that chain of title.* The owner must provide evidence which establishes:

(1) The facts of build in accordance with subpart F of this part; and